

**JUDICIAL COUNCIL OF CALIFORNIA  
ADMINISTRATIVE OFFICE OF THE COURTS**

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**Report**

TO: Members of the Judicial Council

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SUBJECT: Allocation of FY 2006–2007 State Appropriations Limit Security  
Funding for New or Transferring Facilities (Action Required)

Issue Statement

The Judicial Council has the authority to approve the allocation of funding to the trial courts. This report represents recommendations for allocation of FY 2006–2007 State Appropriations Limit (SAL) security funding for courts with security costs relating to facilities that will open or transfer during the period July 1, 2006 through September 30, 2007.

Recommendation

Administrative Office of the Courts (AOC) staff recommends that the Judicial Council:

1. Approve an ongoing allocation of FY 2006–2007 SAL security funding for entrance screening services in the amount of \$267,124 in FY 2006–2007 for current year costs and \$702,047 in additional ongoing funding in FY 2007–2008 bringing the total ongoing funding for FY 2007–2008 and beyond to \$969,171 for the costs of staffing for facilities that will open or transfer during the period July 1, 2006 through September 30, 2007, as indicated in Attachment 1, and a maximum of \$313,000 in one-time funding from available one-time security funds for x-ray machines and magnetometers and related costs. In the event that there is insufficient ongoing security funding available from FY 2006–2007 SAL for annualization purposes, security funding from FY 2007–2008 SAL will be

used. Funding will not be provided until AOC staff has received documentation that the equipment has been purchased and notified that security staff has been hired and are in place at the facility.

2. In the event that sufficient ongoing FY 2006–2007 SAL security funds are available after allocation for mandatory security costs and entrance screening, approve \$104,994 in FY 2006–2007 for current year costs for internal transportation, holding cells, and control room staffing and \$396,013 in additional ongoing funding in FY 2007–2008 bringing the total ongoing funding for FY 2007–2008 and beyond to \$501,007 for facilities that will open or transfer during the period July 1, 2006 through September 30, 2007, as indicated in Attachment 1.
3. Direct staff to talk with the other courts that submitted current year requests for funding for security for new facilities as to whether they need funding for internal transportation, holding cells, and control staff services for their facility. If courts indicate that they have such needs, direct staff to analyze the requests using the same methodology as used in determining funding for recommendation 2 and, if ongoing funding is available, delegate authority to the Administrative Director of the Courts to allocate these funds.

#### Rationale for Recommendation

##### *Background*

The Judicial Council approved staffing and operating costs for new facilities in FY 2006–2007 (including unfunded costs for transferred facilities) as a budget priority for FY 2006–2007 at its April 2006 meeting. Allocations for staffing and operating costs other than security for such facilities were presented to and approved by the council at its October 20, 2006 meeting. The council deferred action on allocation of security funds for this priority until the December 1 meeting, as mandatory security costs were still being finalized and the amount of funding available to be used to address security costs for new and transferring facilities was not yet known. AOC staff is continuing to refine the FY 2006–2007 mandatory security costs to confirm that there will be enough ongoing funds to fund these services for these new and transferring facilities.

This program was also a budget priority in FY 2005–2006. In that year, the Judicial Council subsequently directed that allocation of any funding for security for new facilities be provided from the same pool of security funding to be utilized for mandatory security cost increases. A subcommittee of the Working Group on Court Security reviewed the staff recommendations for requests for funding for security for facilities opening or transferring during the period FY 2004–2005 and FY 2005–2006, and approved allocation of one-time and ongoing funding to a

number of courts. Because the only security funding standard that is directly impacted by the number of locations is entrance screening, funding was only approved for new entrance screening stations. This included ongoing costs for security staff based on the entrance screening standard for the court, and one-time costs for x-ray machines and magnetometers and related equipment up to \$30,000 per station.

#### *Current year requests*

As part of the FY 2006–2007 budget process, funding requests were permitted for courts that had facilities that were opening or transferring during the period July 1, 2006 through September 30, 2007. Based on the decision to fund only entrance screening stations last year, the form and instructions sent to the courts indicated that security requests would be so limited. Fifteen courts submitted requests for 20 facilities. One court withdrew its request because the opening date for its facility changed to 2009 when the size of the facility was increased.

Despite the limitation on the kinds of security costs that could be requested, several courts included requests for other security costs related to these facilities, including: positions to staff holding cells and control rooms, after hours and weekend security, and funds to pay the county for security based on an increase in the square footage of occupancy by the court in the facility.

In addition to personnel, courts also requested one-time funding for things such as: card readers, cameras, furniture for screening stations, duress alarms, radio communication infrastructure, a turnstile for the metal detector, and other misc. security equipment for the building unrelated to the screening station. At its August 25, 2006 meeting, the Judicial Council directed referral of requests for one-time costs that are not part of the basic screening equipment previously paid for with these types of funds to the AOC's Emergency Response and Security (ERS) unit for possible funding from its grant program. There is a significant amount of one-time security funding available for allocation in FY 2006–2007. At the October 20th council meeting, the Working Group on Court Security was directed to develop recommendations for allocation of this one-time funding for one-time expenses such as radios and related costs, and other equipment. If ERS determines this equipment is necessary and appropriate, it may be included in that review.

The 2006 Budget Act provided funding for staffing and equipment for 97 new entrance screening stations. A few of the facilities included in the FY 2006–2007 new facilities process are also included in the budget act. Because the Budget Act funding was provided expressly for new screening stations, duplicate requests were removed from the new facilities funding process.

### *Entrance screening*

Staff believes that entrance screening is very important to providing safety for everyone who utilizes the state's courthouses, and for this reason, should be the highest priority for funding of security for new facilities. The recommendation would provide funding for four complete screening stations, including staffing at the full entrance screening standard for the court, and a maximum of \$37,000 in one-time funding for the screening equipment. (At its October 20, 2006 meeting, the Judicial Council increased the maximum one-time funding for entrance screening equipment from \$30,000 to \$37,000 to provide sufficient funding for maintenance of the equipment.)

The recommendation includes funding for equipment only for one court that does not need staffing for the station because they are transferring positions from another facility for this purpose. It also includes equipment and a reduced level of staffing for four facilities, where there is already some staffing, but less than the standard. The recommendation also includes staffing, but no equipment at one facility. The current funding standard for entrance screening is based on the average number of weighted filings per location, as follows:

Number of 830.1 Mid-Step Deputies Per Station	Weighted Filings Per Location
1.40	0 – 249,999
1.60	250,000 – 899,999
1.85	900,000 – 2,000,000

One court that will receive funding for an entrance screening station through the 2006 Budget Act, will receive an additional screening station from the sheriff. They requested an additional deputy to stay near the entrance screening station that would be utilized when the station was busy. This position was not recommended for funding as the court is already spending above the funding standard in the area of courtroom/internal security.

One court requested funding for entrance screening equipment for two stations, contract security guards, and also a deputy sheriff. The recommendation would fund the two stations at the standard and the court could then use the funding to hire a deputy as well as contract guards, if there is sufficient remaining.

### *Internal transportation/holding cells/control rooms*

Four courts requested positions other than for entrance screening. Two of the four courts will have control rooms and/or holding cells in their new facility. This new service will need to be staffed. The last of the four courts asked for staffing to provide prisoner transport within the facility. The funding standard for internal

transportation, holding cells, and control rooms is a courtwide standard, rather than a per facility standard like entrance screening. It takes the lesser of a court's judicial position equivalent (JPE) or assessed judicial need (AJN) and then if the JPE is lower than the AJN it calculates an adjusted AJN that raises the JPE half way to the AJN. The courts are put into clusters for this standard. The current funding standard is:

PC 830.1 Mid-Step Deputy per Adjusted AJN	Cluster
0.22	1
0.29	2
0.34	3
0.49	4

If courts were funded at the security funding standards, security services for internal transportation, holding cells, and control rooms would be totally funded. However, these courts are not funded to the standards. Even though this area of security was not initially allowed as part of the request, staff believes that to the extent that ongoing FY 2006–2007 SAL security funding is available, these costs should be funded. Staff should also inquire of the other courts who requested funding for new facilities, and that are below the standards, whether they need funding for security services in these areas. Funding in this area would be a lower priority than entrance screening.

Because the purpose of this allocation is to provide additional justified and necessary security to a specific facility, rather than to bring a court to the funding standard, staff looked at the number of JPEs that would be regularly working in the new facility when it opened. Two of the courts are in cluster 2 and the other in cluster 4. The recommendation would be that the facilities in cluster 2 receive 0.29 mid-step 830.1 deputy salary and benefit costs times the number of JPEs in the facility and the other court receives 0.49 mid-step 830.1 deputy salary and benefit costs times the number of JPEs in the facility.

#### *Other ongoing costs*

Two courts requested funding for security to be provided outside of normal business hours. One of these courts also requested funding to pay for billing by the county for security based on the court's increase in the percentage of space occupied in the courthouse. These requests are not recommended for funding because they are beyond the normal types of security services provided in most courts. In addition, there are no standards for this type of security. These locations already have or, once the Budget Act of 2006 funding is allocated, will have entrance screening stations that will provide an adequate level of security.

#### *Other one-time costs*

As directed by the Judicial Council at its August 25, 2006 meeting, requests for one-time funding for other than x-ray machines and magnetometers will be referred to the AOC's ERS unit for review for potential funding from available one-time security funds.

#### Alternative Actions Considered

Staff considered recommending the use of one-time security funds for the internal transportation, holding cells, and control room costs for FY 2006–2007 and then trying to locate ongoing funds for future years. However, because it was anticipated that sufficient ongoing FY 2006–2007 SAL security funds would be available and the policy to not fund ongoing costs with one-time funds, staff decided not to make such a recommendation. Another option was to recommend denial of these costs altogether. However, because these are services that are new to the court altogether or to the specific location, staff believes that they do need to be funded, even if using a somewhat altered funding standard, and at a lower priority than the entrance screening funding.

Staff also considered denying the other one-time costs outright. However, again, due to the availability of a sizeable amount of one-time security funds for use in FY 2006–2007, utilizing this funding, where determined to be necessary and appropriate by ERS, seems reasonable.

#### Comments from Interested Parties

Comments were not sought on these recommendations. As mentioned previously, the recommendations were reviewed by the AOC's ERS staff, which has expertise in security matters.

#### Implementation Requirements and Costs

No additional funds are needed to implement these recommendations.

Attachment

**Recommendations for Allocation of FY 2006-2007 SAL Security Funding for New or Transferring Facilities**

Court System	Open or Transfer Date	Recommendation 1				Recommendation 2			Request Deferred for ERS Review
		Entrance Screening				Internal Transportation/Holding Cells/Control Rooms			
		FY 2006-07 Ongoing Funding	FY 2007-08 Additional Ongoing Funding	FY 2007-08 and Beyond Ongoing Funding	Maximum One-Time Funding	FY 2006-07 Ongoing Funding	FY 2007-08 Additional Ongoing Funding	FY 2007-08 and Beyond Ongoing Funding	
Alameda-Juvenile Justice Center	5/1/2007	34,868	174,340	209,208	37,000				
Amador	7/1/2007				32,000				
Imperial-Courthouse Annex	1/1/2007	16,164	16,164	32,328	-				
Merced-New Courthouse	1/1/2007				-	81,641	81,641	163,282	
Orange-Community Court	7/1/2007	-	217,033	217,033	37,000	-	57,484	57,484	
Placer-South Placer Justice Center	6/1/2007	1,611	17,716	19,327	37,000	23,353	256,888	280,241	
Riverside-Family Law	7/1/2006				-				2,000
San Bernardino-303 Third Street	3/2/2007	113,010	226,020	339,030	74,000				
Santa Cruz, Watsonville	6/1/2007	4,616	50,774	55,390	-				601,300
Yolo, Family Support	7/1/2006	32,285	-	32,285	32,000				
Yolo, 213 3rd Street	7/1/2006	32,285	-	32,285	32,000				
Yolo, Traffic Court	7/1/2006	32,285	-	32,285	32,000				
Total:		267,124	702,047	969,171	313,000	104,994	396,013	501,007	603,300